

The Republican.

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THE DAY OF JUDGMENT.

On Monday last the Court of King's Bench passed sentence on the following persons:—Sir C. Wolseley, 18 months imprisonment in Abingdon gaol, and to find securities for his good behaviour, himself in 1000l. and two other persons in 500l. each. Mr. Harrison, 18 months, and securities, for 5 years, himself in 200l. and two others in 100l. each. Mr. Hunt, 2 years and a half in Ilchester gaol, and securities for 5 years, himself in 1000l. and two others in 500l. each. Johnson, Healey, and Bamford, one year each in Lincoln gaol, and securities during 5 years, each himself in 200l. and two others in 100l. each*.

On Tuesday, the 9th inst. the court passed the following sentences on Messrs Watling, Harris, and Shorter, six weeks imprisonment in Cold Bath Fields Prison; Luke Whitehorn one month in the same prison; Messrs. Cahuac and Francis, one month in Horsemonger-lane Prison, with some trifling recognizances attached; James Sainsbury was dismissed without any imprisonment, by entering into a recognizance for good behaviour. We could not have expected, that the Judges of this court, who have on so many occasions shown themselves the back-bone supporters of the faction in power, could have been found in so merciful a mood with any persons connected, however remote, with the Republican. We rejoice at the circumstance, because the individuals now imprisoned on account of the Republican, no more deserved punishment for what they had done, than the Attorney-General, or even the Judges themselves. The Attorney-General has been the chief agent in the extensive circulation of the Republican, the

* We did not receive the above particulars in due time to make any observations upon them this week we must therefore defer it until the next.

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individuals now under punishment, were nothing more, than the agents of those persons who might wish to read them, they were the agents of those customers from whom they gained a livelihood; they were not our agents, because, if they had refused to supply their customers with those numbers of the Republican, they would have lost their custom for newspapers and other publications, whilst those customers would have had but very little trouble to come or send to the place of publication for them. It is a most cruel and barbarous measure to prosecute the vendors of publications, whilst the author and original publisher is always forthcoming. There might be some degree of plausibility on the part of the Attorney-General, if the pamphlets were anonymous, and published originally by some person whom he could not reach, or who might confine his sale to those vendors only. Here he would have a fair excuse; but the Republican has always been retailed at the place of its first publication, and the proprietor always to be found. The gentleman will find that the prosecution and punishment of those persons will produce no further advantage to his employers than to encrease the enormous burthen of public odium they have already incurred. The Attorney-General himself pockets a neat fee for every information that he files, which in some measure accounts for the number he has filed without any intention of bringing the party proceeded against to trial. He has a fortune to make both for himself and family, and is sufficiently a Republican to perceive that he has but a short time to make it in. He and the Chief-Justice, Abbott, are playing just the same game, they have got hold of two lucrative situations, and are bustling hard to enrich their families whilst the public spoil is at their disposal. They know the summer will be a short one, so they are making their hay whilst the sun shines.

In addition to the afore-mentioned persons, the Right Reverend Father in God, Robert Wedderburn, received the sentence of the Court, that he should be imprisoned two years in Dorchester Gaol. We might call it a BASTILE from the mode of treatment shown to what are termed State Prisoners or Blasphemous and Seditious Libellers. The prisoners confined in the Bastile, were generally well fed, that is to say, very different from the usual prison allowance in other prisons, whilst here, there is no allowance of fire nor food, no friend admitted to see you, nor any means of breathing the open air, without a turnkey dangling the massive key of your door all the time at your elbow, and at the expiration of an hour cry-

ing out "COME SIR, YOUR TIME IS UP, YOU MUST BE LOCKED UP." Another circumstance still worse than all, is, that there are but two men employed to do all the work of the prison, lock and unlock the prisoners, fetch all errands and food for debtors, and all the prisoners. These the governor calls his servants, and they must be at his and his family's beck just as if they were family servants. Whatever kind of bread or food these servants of the governor bring you, you must be content with. Four or five priests come round in the character of visiting magistrates once a quarter to know if you have any complaints to make, and should you have any complaint, they are sure to tell you, with a most charitable meekness, that they are extremely sorry your complaints are such as they cannot remedy. We take this opportunity of cautioning all persons not to put themselves out of the way with an expectation of visiting Dorchester Goal, for we have learnt that many friends, and relatives even, have been denied admission, although the governor gave us a solemn pledge that whoever called should find admittance. It appears that the Right Reverend the Archdeacon of Dorset and some of his brother clergymen, think that solitary confinement is the most proper punishment for those who doubt the truths of their holy religion and preachings, and the pious Lord Sidmouth says, Amen, so be it.

It will be recollected by our readers that Alderman Christopher Smith, who was once the intimate friend of Thomas Paine, and, who was the last to take his leave of him at Dover or Deal, was the foreman of Wedderburn's jury, and that in the name of his fellow jurors, he distinctly recommended the defendant to mercy, in consequence of his not having been educated in the Christian religion. What has been the result of this? Two years solitary imprisonment in Dorchester Bastile! Merciful judges! Whitehorn and Francis were also recommended to mercy, which in cases of libel and timid juries, intimates that the defendant has published the alleged libel without any bad intention, and that he ought not to be punished. But our judges are grown too independent of the PEOPLE to be dictated to by Juries, they are dependent only on that administration which has the power of increasing their emoluments. Whitehorn and Francis are punished equally with those who were not recommended to mercy, and Wedderburn is punished agreeable to the dictates of HOLY MOTHER CHURCH, which has mercy for none but hypocrites.

We shall use our best interest to get Mr. Wedderburn appointed Chaplain to the Bastile or New Inquisition Prison. The present chaplain is so extremely fat, that he can hardly ascend the pulpit, and after getting there does not recover himself from the exertion of getting up the steps, so as to deliver his prayers with sufficient solemnity, or his sermon with due emphasis. It is high time that he was superannuated, and we consider the present a favourable opportunity, as we doubt not but that Mr. Wedderburn will be satisfied with a 1*l*. note for every sermon, whilst the present chaplain gets 80*s*. Thirty shillings every Sunday! There is much room for economy here, and Mr. Wedderburn is sufficiently an eccentric to amuse the prisoners, whilst, at present, they are obliged to be driven into chapel like sheep, and come out with about as much satisfaction as sheep would from a fold to graze on a good crop of grass. We should further observe that whilst the present chaplain is officiating at the Bastile, his own parishioners (for he has another living) are at home cold, prayerless, and comfortless, or straying about the fields and hedges. Just as we have often witnessed in the country a parson gabble over the business of the church in about twenty minutes, have a horse ready saddled at the church door, and gallop off to the next parish, and so on to perhaps half-a-dozen in the course of the day: and as we have often seen the sexton's wife fetch our old school-master (who was a clergyman) away from his scholars, to read prayers in a church where another belonged, who had gone a shooting or a hunting, and neglecting to appoint some one to officiate in his room, to the great disappointment of two and sometimes three old women, who were past coquetry.

EDITOR.

FASHIONABLE ARRIVAL AT DORCHESTER CASTLE—The Right Reverend Father in God, Robert Wedderburn, V. D. M. D. D., &c. from a visit to the Abbot of St. George's Abbey, Surrey. The Right Reverend Prelate will make a long stay at the Castle to study metaphysics and attain a true knowledge of the three Gods in one God, and one God in three Gods! He intends again to resume the college gown and hat, before he recommences his labour in the vineyard.

**OBSERVATIONS ON THE INDICTMENT FOUND
AGAINST MRS. CARLILE,**

*For Publishing a copy of the Life of Paine, by Sherwin,
and the 9th No. Vol. I. of the Republican.*

Much complaint has hitherto existed of the manner in which indictments or informations on Libel have been drawn up, in consequence of broken sentences, and sentences without the context being introduced into the different counts.— It has been argued, that it has been a most unfair mode, and that the sentences, or a part of a sentence, thus introduced into an indictment or information, has a very different reading from that in the pamphlet or volume extracted from. But since the passing of the late libel bill, and since the harpies of the law have the power of seizing the whole edition of a proscribed work, they are beginning to work by wholesale, and not content with attacking one volume or pamphlet at a time, they include a variety in the same indictment. After the acquittal of Mr. Hone on three informations, founded on three half-sheet pamphlets, a complaint was made in both Houses of Parliament, of the harrassing nature of the prosecution, and it was urged that the Attorney-General would have answered his own purpose, and have done his duty just as well, if the three informations had been condensed into one. The answer given to this by the law-officers of the Crown, was, that such a measure had never been the practice, that such a mode of proceeding could not be sustained in law, and that every distinct publication, however small, required a distinct indictment or information, because the offences committed were distinct. Now the charges against Mr. Hone's Parodies were the same, they were charged as being parodies on different parts of the same book: but in the new indictment presented against Mrs. Carlile, the first count is made up of matter extracted from a volume of 300 pages, entitled the Life of Thomas Paine, by W. T. Sherwin, and which volume was published in the summer of 1819, advertised in all the leading papers of the day, and the impression nearly sold off before November last: in fact, I doubt whether Mrs. Carlile has sold half a dozen copies, whilst I had sold many hundred copies before November, and it was the last publica-

tion in my shop that I should have expected a prosecution for; the price of it was 7s. 6d. The second count of the indictment embraces an extract from the letter of a correspondent published in the 9th No. Vol. 1, of the Republican in the month of October last; no notice whatever was taken of this number at the time of publication, and within the first week I circulated 12,000 of them. The legal housebreakers stole about 1000 or upwards from me, and all that Mrs. Carlile has had to sell, are a few copies that were returned from the country unsold. It is not this publication or that publication, that the Vice Society and the Government object to, they wish to shut up the shop. They had no idea, after the enormous fine imposed upon me, and every vestige of my property swept away, without giving me the least information what they have done with it, or what they meant to do with it, that the shop would have been reopened. Mrs. Carlile opened the shop in the month of January, with such pamphlets as she could scrape together, and immediately the shop is surrounded as before, the people flock in, and take up any pamphlet they see laying on the counter, throw down double and treble its value, and express their admiration of Mrs. C.'s spirit in the highest terms; but lo! the Vice Society are offended, and before the end of the month, they conspire together to get her into a prison also. Those secret assassins, a great portion of whom are priests, are now bent on the destruction of Mrs. Carlile and her family. The professed purpose of their association was to search after the private circulators of obscene books. Have they found any thing of the kind at Fleet-street. No. There is nothing sold, or ever has been sold in that shop, but what is publicly exposed or advertised in catalogues. I have no hesitation in saying, that such men are greater villains, baser assassins, than he who conceals the stiletto under his garment, and seeks an opportunity of plunging it into the bosom of some being who has offended him, or some tyrant whom he may consider a pest in society. The latter exposes his life to gratify his disposition, the former are secret, unknown but to their secretary, and he a man without character, a pettyfogging lawyer, who keeps a couple of fellows who occasionally act as informers or clerks, just as their services are necessary. When Mr. Pritchard has no business in his office, those men are sent out to prowl the town for game. His object is only to obtain the lawyers charges in prosecuting an indictment, and whenever the party prosecuted is inclined to pay to Mr. Pritchard the sum of 30l.,

vice may continue its rage, and morals be corrupted for what he cares. From certain information, which I received respecting the conduct of this fellow, I feel assured, that if the House of Commons, or some competent authority, would examine into the whole conduct of this pretended association for the suppression of vice, they would find it one of the greatest swindling abuses in the metropolis.

With respect to the indictment itself, it commences with an anomaly: "The Jurors for our Lord the King upon their oath present, that *Jane the wife of Richard Carlile*, late of London, bookseller, &c." I should like to know what proof the said Jurors had that the person presented was the wife of Richard Carlile? As a clear expression of the name of the person indicted is essential to an indictment, the Vice Society had better bring some proof that the person indicted is the wife of Richard Carlile. It is not incumbent on Mrs. Carlile to shew that she is not the wife, it is incumbent on the prosecutors to shew that she is the wife, according as they have set forth in the indictment. To me it appears essential that they should produce the register of a legal marriage. I do not mean to deny Mrs. Carlile; she is my legal wife, but my assertion in this form is no evidence for a court of law.

I am astonished at the matter in the first Count of the Indictment if Mr. Gurney had to defend such a Count, he would expatiate for a month upon it—he would insist on it, as the very basis of virtue and morality. I hope the members of the Vice Society are reading my commentary on the Holy Bible. It is the only honest commentary that has ever appeared on it; although I praise my own work. As soon as I have finished this commentary, I mean to select the various readings of the Holy Bible. Mr. Bellamy's word of God, the present authorized word of God, and all words of God as spoken by Balaam and his ass, and every other prophet, and inspired ass, that have been made to echo the word of God. The observations selected from the correspondence of the Republican, must have been a terrible eye-sore to the priests of this country. I would have them bear in mind that 12,000 copies of them have been circulated. With reference to the Holy Book, it contains an assertion that I have made over and over again, in another shape, and that is, that civil liberty can never exist on the base of an established priesthood, or in conjunction with a priesthood, recognized and supported by the law. This is a sentiment of mine which it shall ever

be my duty to inculcate on the mind of every human being with whom I may have the opportunity of conversing freely, or who may chance to read what I write and publish. The expressions in the second Count of the Indictment, are put in the most open and strongest shape possible; but to this I never have, nor never shall object. I love candour and plain dealing, and look on the man who has an opinion which he is afraid to utter, as a slave to the opinions of other men. But I would ask how has Mrs. Carlile offended with respect to this publication? At the time of publication, she had no controul whatever over the business, and was a mere assistant in it. I have circulated the whole impression, both of Sherwin's Life of Paine, and the number of the Republican in the Indictment: and because Mrs. C. might have sold a strayed copy, is she to be made responsible for my act? They know very well that it would be my pride to defend such publications, day after day, whilst I have the power of utterance; and under such circumstances, and on such grounds, I shall never feel imprisonment to be a punishment; nay, even if that imprisonment was certain to extend with my life. I would live happy as long as I had any view of making myself further useful, and when I had no further view of that, I would cease to live.

I am not aware whether Dr. Rudge is a member of the Vice Society or not: I recollect sending him one of those numbers of the Republican, which now forms the second Count of the Indictment; but if the report of the editor of the Courier be true, that the Doctor expects the reporter's fee for all the confessions and the last dying speeches of the culprits whom he may attend, and send to the newspapers for publication, I should think the Doctor associates no where, where there is no profit likely to accrue. I have formed a most contemptible opinion of the Doctor, since he published what he called his answer to the Age of Reason, and which I have done him the justice to publish in the Republican. It was then visible that he was a wolf in sheep's clothing.

I take this opportunity of repeating my thanks to the Vice Society, for the extensive circulation they are again giving my publications. I hear from London that the prosecution of Mrs. Carlile produces just the same effect as my prosecution did—it quadruples the sale of all her publications. I will convince the members of this Society before seven years have passed away, that they have been arrant fools to themselves,

as well as knaves to me, at least, knavery is intended, although a real benefit is the result. Of the persons who composed the first Grand Jury that found the Indictment against me, not one of them, had ever, read the publication for which they presented a true Bill. Several of them, I know, took the earliest opportunity of reading it; and some of them, I know, pronounced a favourable opinion of it: thus the thing goes on. A prosecution becomes the grand impetus for reading a particular book; and, in the language of Paine, I say again,—MAY EVERY GOOD BOOK BE PROSECUTED.

R. CARLILE.

Dorchester Gaol, May 15th, 1820.

THE DANDY BISHOP CHASTISED.

An interesting petition was presented to the House of Lords on Friday last, impeaching the conduct of the Bishop of Exeter. Lord Holland presented the petition and supported it; it was also supported by the Marquis of Lansdowne and the Earl of Carnarvon, who severally lashed the conduct of the Bishop. It appeared that a Mr. Pike Jones, a curate of the parish of North Bovey, in the Diocese of Exeter, had lately attended a county meeting held at Exeter, for the purpose of considering the Catholic claims, and that he had there advocated with considerable ability the propriety of granting the said claims. This brought down upon him the venom of others of the priesthood: and in consequence of Mr. Jones having obtained preferment to two other livings in other dioceses, they influenced the Bishop not to countersign the necessary certificate to enable the Bishops of the dioceses to institute him in his new livings. The Bishop was obstinate, and Mr. Jones is consequently ruined in his profession, being obliged to return the presentments to the patrons of the living. The Bishop in the House of Lords made a most lame defence, and said, that he had received a variety of information from various persons, that Mr. Jones was a most improper man to hold a living as a clergyman. The contrary was fairly proved on the part of the petitioner; but notwithstanding this, the petition was rejected by a large majority of their Lordships. Our readers will wonder what we are about, in noticing this subject, but it is for the purpose of informing them, that this said Mr. Pelham, Bishop of Exeter, was formerly a Colonel in a

regiment of dragoons, that he spent all his fortune like a complete rake, and that he took up the gown for no other purpose than to recover another. His brother, the late Mr. Pelham, Secretary of State, soon shoved him forward to the Bishopric of Exeter, and no doubt the first vacancy of an Archbishopric, or more profitable see than that of Exeter, will be filled by him, as he has been the closet companion of his present Majesty. At a late public dinner of the corporation of Exeter, in speaking of the progress of the pamphlets written in the cause of civil and religious liberty, this Right Reverend Father in God charitably observed, that if any person was found circulating them in that neighbourhood he hoped they would be CRUSHED WITH THE DUST AND SCATTERED WITH THE WIND.

We have some personal knowledge of the Dandy Bishop, having frequently met him capering about in our perambulations, and have also heard many curious anecdotes of him. One thing was well known, he came to Exeter extremely poor, the most parsimonious conduct pervaded the whole palace: all the servants were put on very narrow board wages, scarcely sufficient to support them, and should any poor humble and hungry supplicant dare to intrude on the Palace-gate, they were sure to be spurned with an indignant frown. Although the Right Reverend Father has been a Colonel, and a gay and gallant soldier, he has made a tolerable good pulpitman. We recollect having heard him address a troop of the 16th light dragoons, then about to embark for Portugal, and very religiously pointed out to them their duty in the field of battle, the address formed a part of a sermon delivered in St. Peter's Cathedral, Exeter. Another curious anecdote we must relate of the pious prelate. A minister of the church of the parish of (I believe) St. John, Exeter, took a fancy to the puritanical style of worship, and was in the habit of making long prayers and long sermons extempore. The Bishop was in the habit of making the different preachers in his diocese preach before him in succession, and when the turn of the new fashioned preacher came, instead of occupying a quarter of an hour or twenty minutes, the usual time in church sermons, he exceeded his time by an hour. The Bishop became very hungry, and very angry, felt no influence of the spiritual preacher's sermon, and after it was over, sent for him, gave him a severe reprimand, and told him he must not expect to preach in the cathedral again.

EDITOR.

CONTINUATION OF THE EXAMINATION OF THE SPANISH CONSTITUTION.

(Continued from p. 92.)

CHAP. II.—On the succession to the Crown.

ART. 174. The kingdom of Spain is indivisible, and after the publication of the constitution, there shall succeed to the throne, in perpetuity, in the regular order of primogeniture, and inheritance among the legitimate descendants, the males and females only, of the lineage that shall be explained.

ART. 175. Those only can be Kings of Spain, who are legitimate children, born in lawful wedlock.

ART. 176. In the same degree of lineage, males shall be preferred to females, and always the elder to the younger, but the females of higher lineage or higher rank, in the same lineage, shall be preferred to males of inferior lineage or rank.

ART. 177. The son or daughter of the first born of the King, in case of their father dying without succeeding to the throne, is to be preferred to the uncles, and succeeds immediately to his grandfather by right of inheritance.

ART. 178. As long as the line in which the succession is founded is not extinct, the next does not inherit.

ART. 179. The King of Spain is our Lord Don Ferdinand the 7th of Bourbon, who actually reigns.

ART. 180. In failure of our Lord Don Ferdinand the 7th of Bourbon, his legitimate descendants, male and female, shall inherit the throne. On failure of these, his brothers shall succeed, and uncles, and aunts, brothers and sisters of his father, and the legitimate descendants of these in the order that is provided, preserving to all *those of superior lineage the right of inheritance and superior claim*, to those of inferior descent.

ART. 181. The Cortes shall exclude from the succession that person or persons who may be incapable of the government, or have done any thing by which they deserve to lose the crown.

ART. 182. If all the lines of descent here pointed out should become extinct, the Cortes shall make out a new list, as they may see most important to the nation, always following the order and rules of succession herein laid down.

ART. 183. Whenever it is probable the crown may fall; or may have actually fallen to a female, she cannot marry without the consent of the Cortes; and if she should act contrary thereto, it is understood that she abdicates the crown.

ACT. 184. In case a female happens to reign, her husband shall have no authority whatever respecting the kingdom, nor any share in the government.

CHAP. III.—*On the minority of the King and on the Regency.*

ART. 185. The King is minor until he complete his eighteenth year.

ART. 186. During the minority of the King the kingdom shall be governed by a Regency.

ART. 187. It shall also be governed by a Regency, whenever, through physical or moral reasons, it becomes impossible for the King to exercise his authority.

ART. 188. If the difficulties of the King should exceed two years, and his immediate successor have attained eighteen years of age, the Cortes may nominate him Regent of the kingdom in place of the Regency.

ART. 189. In those cases in which the crown shall become vacant, the Prince of Asturias being yet minor, until the Cortes extraordinary meet, if the ordinary one is not assembled, the provisional Regency shall be composed of the Queen mother, if there is one, of two senior deputies, (as prior elected,) from the permanent committee of the Cortes, the two senior counsellors of state; viz. the deacon and the next in the list; if there should be no queen mother, the third senior counsellor of state shall form part of the Regency.

ART. 190. The provisional Regency shall be presided over by the queen mother, if there is one, if not by that individual of the permanent committee of the Cortes, whose name shall be first mentioned therein.

ART. 191. The provisional Regency shall not dispatch any other business than that which admits of no delay; nor shall they move from, or appoint to, public offices, except for the interim.

ART. 192. The Cortes extraordinary being met, shall nominate a Regency of three or five persons.

ART. 193. To be qualified as a member of the Regency, it is necessary to be a citizen in the enjoyment of his rights; all foreigners, although citizens, being excluded.

ART. 194. The Regency shall receive as president, one of its members whom the Cortes shall appoint, it being for them to determine, on fit occasion, whether or not there should be a change of president, and at what periods.

ART. 195. The Regency shall exercise the authority of the King in the manner the Cortes may approve of.

ART. 196. Each Regency shall take the oath prescribed in the 173d article, adding a clause to be faithful to the King; and the

permanent Regency shall moreover add, that it will observe the conditions required by the Cortes in the exercise of its authority, and that whenever the King becomes of age, or his impossibility of governing should terminate, it will deliver over to him the government of the kingdom under the penalty, if it delays it one moment, of all its members being held and punished as traitors.

ART. 197. All the decrees of the Regency shall be published in the name of the King.

ART. 198. The person whom the deceased King may have appointed in his will shall be guardian to the King minor. If he should not have appointed one, the queen mother shall be guardian while she remains a widow; in default of the queen mother, the guardian shall be nominated by the Cortes;—in the first and third case the guardian must be a native of the kingdom.

ART. 199. The Regency shall take care that the education of the king minor be the most suitable to the grand object of his exalted dignity, and that it is governed according to the plan which the Cortes shall approve.

ART. 200. The Cortes shall fix the salaries of the members of the Regency.

CHAP. IV.—*On the Royal Family, and of acknowledging the Prince of Asturias.*

ART. 201. The eldest son of the King shall be styled Prince of Asturias.

ART. 202. The other sons and daughters of the King shall be styled Infantes or Infantas of Spain.

ART. 203. The sons and daughters of the Prince of Asturias also shall be styled Infantes and Infantas of Spain.

ART. 204. To these persons precisely is limited the rank of Infante of Spain, without the power of its being granted to others.

ART. 205. The Infantes or Infantas of Spain shall enjoy the distinctions and honours they have hitherto possessed, and may be appointed to all kinds of profession, or admitted to any pursuit, excepting those of judicature, and the deputation to the Cortes.

ART. 206. The Prince of Asturias cannot quit the kingdom without leave of the Cortes; if he should, he will be excluded the succession to the crown.

ART. 207. Should he remain out of the kingdom a longer time than is admitted in his licence, and not return within the time required by the Cortes, he will also forfeit his succession to the throne.

ART. 208. The Prince of Asturias, the Infantes and Infantas of Spain, their offspring and descendants, subjects of the king, cannot

enter into marriage contracts without his consent, and that of the Cortes, under the penalty of being excluded from the succession to the crown.

ART. 209. An authentic copy of the record of the birth, marriage, and death of all persons of the royal family, shall be sent to the Cortes, or in their vacation to the permanent committee, to be kept in their archives.

ART. 210. The Prince of Asturias shall be declared, by the Cortes, with the formalities which the regulations for the internal government shall direct.

ART. 211. This declaration shall be made in the first Cortes that are held after his birth.

ART. 212. The Prince of Asturias on attaining fourteen years of age, shall take an oath before the Cortes in the following form: I, (here insert the name) Prince of Asturias, swear by the Almighty and the Holy Evangelists, that I will defend and preserve the Catholic, Apostolic, and Roman religion, without permitting any other in the kingdom; that I will protect the political constitution of the Spanish Monarchy, and that I will be faithful and obedient to the king, So help me God.

CHAP. V.—On the revenues of the Royal Family.

ART. 213. The Cortes shall fix the annual revenue of the King's household, which shall correspond with the exalted dignity of his person.

ART. 214. All the royal palaces which his predecessors have enjoyed, belong to the King, and the Cortes shall point out such landed estates as they may think proper for his personal recreation.

ART. 215. The Cortes will appropriate an annual revenue for the support of the Prince of Asturias, from the day of his birth, and for that of the infantes and infantas of Spain, when they complete their seventh year, suitable to their respective dignity.

ART. 216. The Cortes will grant such dowry as they may think fit to the infantas on their marriage, when the annual allowances shall cease.

ART. 217. The regular allowances shall be continued to the infantes, if they marry and reside in Spain; but if they marry and reside abroad, the provision shall cease, and the dowry that the Cortes assign be delivered at once.

ART. 218. The Cortes shall fix the annual provision for the Queen Dowager.

ART. 219. The revenue of the household of the King, and the provision for his family, mentioned in the preceding articles, shall be

fixed by the Cortes at the commencement of each reign, and cannot be altered during its continuance.

ART. 220. The salaries of the members of the Regency shall be taken from the revenue assigned for the household of the King.

ART. 221. All these appropriations are on account of the national treasury, by which they shall be paid to the director that the King shall appoint, with whom must be treated the active and passive claims which may occur on account of their interests.

There is nothing worthy of notice in the last four chapters. We have no fear that they will long continue to swell the Spanish Constitution. It forms one of its excrescences which cannot long flourish on so pure and stately a trunk.

CHAP. VI.—*On the Ministers of State and of public affairs.*

ART. 222. The Ministers of public affairs shall be seven, viz.

The minister of foreign affairs.

The minister of public affairs of the government of the kingdom, in the Peninsula, and the adjacent islands.

The secretary for the colonies.

The secretary of public affairs, of mercy and justice.

The secretary of the revenue, or minister of finance.

The secretary of war.

The secretary of the navy.

Succeeding Cortes shall make such alteration in this system of secretaries for public affairs, as experience or circumstances may require.

ART. 223. To be qualified to be a minister of public affairs, it is necessary to be a citizen in the exercise of his rights; foreigners, although citizens, being excluded this office.

ART. 224. By a particular regulation, approved by the Cortes, will be pointed out the business peculiarly appertaining to each minister.

ART. 225. All orders of the King should be signed by the Secretary of State, to whose department the subject is committed. No tribunal nor public person shall acknowledge any order that is deficient in this essential.

ART. 226. The secretaries of public affairs shall be responsible to the Cortes for the orders which they may authorize against the Constitution or the laws; the command of the King shall be no excuse to them.

ART. 227. The ministers of public affairs will draw up annual estimates of the public expences, that they may deem necessary in each respective branch of the administration, and shall render an account

of those that have been incurred in the mode which will be pointed out.

ART. 228. To make the responsibility of the ministers of public affairs duly effective, it is necessary that the Cortes shall first decree that there is ground for impeachment.

ART. 229. This decree being given, the minister of public affairs shall be suspended, and the Cortes shall forward to the supreme tribunal of justice, all the documents relative to the cause to be brought forward by this same court, who shall prove and decide on the same, according to law.

ART. 230. The Cortes shall fix the salaries of the ministers of public affairs, during their ministry.

The Ministers of Spain, are placed on the same footing as the Ministers of England would be, if we possessed an effectual House of Commons. Such is the ground work of the Spanish Constitution, that there is not the least fear of corruption thriving on it.

CHAP. VII.—On the Council of State.

ART. 231. There shall be a council of state, composed of forty individuals, citizens in the exercise of their rights, foreigners, although citizens, being excluded.

ART. 232. These shall be precisely as follows, viz. four ecclesiastics and no more, of known and approved intelligence and merit, two of whom shall be bishops; four grandees of Spain, and no more, adorned with the necessary virtues, talents, and information; and the remainder shall be chosen among those subjects most distinguished for their intelligence and education, or for signal services in any of the principal branches of the administration of the government of the state. The Cortes cannot propose for this office any individual deputy to the Cortes, at the time of the election. Twelve, at least, of the members of the council of state, shall be natives of the provinces beyond sea.

ART. 233. All the counsellors of state shall be appointed by the King, at the presentation of the Cortes.

ART. 234. To form this council, there shall be circulated in the Cortes, a triple list of all the ranks referred to in the desired proportion, from which the King shall elect the forty members, to compose the council of state, taking the ecclesiastics from the list of them, the grandees from their list, and so on of the others.

ART. 235. The council of state is the only council of the King, who will hear its opinion upon important matters of government, and especially to grant or refuse his sanction to the laws, declare war, and make treaties.

ART. 236. When any vacancy shall occur in the council of state, the first Cortes that shall subsequently meet, shall present to the King three persons of the rank in which it may have occurred for his choice.

ART. 237. This council shall propose to the King three persons for presentation to all ecclesiastical benefices, and for preferment to offices of judicature.

ART. 238. The King shall form a regulation, for the government of the council of state, consulting it thereon at the same time, and it shall be laid before the Cortes for its approbation.

ART. 239. The counsellors of state cannot be removed, without sufficient reasons, proved before the supreme court of justice.

ART. 240. The Cortes shall fix the salary of the counsellors of state.

ART. 241. The counsellors of state, on taking their seats, shall take an oath, before the King, to defend the constitution, to be faithful to the King, and to advise him in all matter conducive to the welfare of the nation, without a view to private interest or emolument.

With respect to the composition of this council, there is not much to fear: four priests and four grandees will be but a feather against thirty-two intelligent men. I cannot fail to admire the manner in which the Cortes have secured themselves against the machinations of the clergy, although they are eligible to the Cortes, I think they will find themselves debarred from doing any mischief. But the change of affairs in South America, will render it necessary, that the first assemblage of the Cortes should revise the whole of their Constitution. Further improvements will no doubt be made in its fundamental parts to correspond with the increased liberality of the present day. Oh Liberty! how delightful thou art, even to contemplate, although absent.

DIVISION V.

On the Civil and Criminal Courts of Justice, and the Administration thereof.

CHAP. I.—On the Courts of Law.

ART. 242. The application of the laws in civil and criminal affairs, belongs exclusively to the tribunals.

ART. 243. Neither the Cortes nor the King can, in any case, exercise judicial authority, advocate in depending causes, nor command the revival of concluded judgments.

ART. 244. The laws shall fix the order and formalities of proceeding, which shall be uniformly the same in all the courts, and neither the Cortes nor the King can deviate therefrom.

ART. 245. The courts can exercise no other authority than that of giving sentence, and seeing it carried into execution.

ART. 246. Neither can they suspend the execution of the laws; nor make any regulations for the administration of justice.

ART. 247. No Spaniard can be sentenced in civil or criminal cases by any commission, or otherwise, than by the appropriate court previously ordered by law.

ART. 248. In ordinary cases, both civil and criminal, there shall be one mode of practice for all ranks of persons.

ART. 249. The clergy shall continue to enjoy the usual privileges in the manner regulated by law, at present or in future.

ART. 250. The military shall enjoy their particular privilege, in the manner ordered by the ordinance (*ordenanza*) now or in future.

ART. 251. To be qualified as magistrate or judge, it is necessary to be a native of the Spanish territory, and to be 25 years old. Other necessary qualifications shall be determined by law.

ART. 252. Magistrates and justices cannot be deprived of their appointments, either temporary or permanent, without accusation lawfully proved and determined, nor suspended without an action lawfully commenced.

ART. 253. If complaints against any magistrate are made to the King, and on examination of the affair they should appear well-founded, he may, on consulting the Council of State, suspend him, immediately forwarding the particulars of the business to the Supreme Court of Justice, to decide according to law.

ART. 254. The judges shall be responsible for all neglect of attention to the laws in civil and criminal proceedings, which they may be guilty of.

ART. 255. Corruption, bribery, and collusion, of magistrates and judges, are grounds for public actions at law, against those who attempt them.

ART. 256. The Cortes will fix an adequate revenue for the Professors of Law.

ART. 257. Justice shall be administered in the name of the King, and the sentences and determinations of the Superior Courts, shall also be registered in his name.

ART. 258. The civil, criminal, and commercial code, shall be one and the same throughout the monarchy, without obstruction to such alterations as the Cortes may make in particular circumstances.

ART. 259. A tribunal shall be established in the capital, which shall be called the Supreme Court of Justice.

ART. 260. The Cortes shall determine the number of magistrates for it, and the different courts into which it is to be distributed.

ART. 261. The jurisdiction of this Supreme Court is, in the first place, to settle all the powers of the Courts of Judicature within themselves, in the whole Spanish territory, and those of the special courts in the Peninsula and adjacent islands. Beyond sea these latter shall be regulated as the law shall determine.

Secondly, To try the Secretaries of State, and Ministers of Public Affairs, whenever the Cortes shall decree there exists ground of impeachment.

Thirdly, To take cognizance of all cases of dismissal and suspension from office of Counsellors of State, and the officers of Courts of Justice.

Fourthly, To take cognizance of the criminal accusations against the Secretaries of State, the Counsellors of State, and the Officers of Justice, if appertaining to the Office of Police, according to the nature of the subject, to direct the proceedings to be forwarded to this tribunal.

Fifthly, To take cognizance of all criminal accusations that may be brought forward against the members of the Supreme Court. In case of its being necessary to render effective the responsibility of this same Court, the Cortes, according to the formality required by the 228th article, shall proceed to nominate, for this purpose, a tribunal composed of nine judges, who shall be chosen by lot from double that number.

In the Sixth place, To take cognizance of the residence of all Public Officers who are under its jurisdiction by law.

In the Seventh place, To take cognizance of all matters in dispute, belonging to the royal patronage.

In the Eighth place, To take cognizance of appeals against the oppression of all the superior ecclesiastic tribunals of the Capital.

In the Ninth place, To take cognizance of appeals against illegal or informal proceedings, or claims for annulling the sentences given on the last hearing of the cause, with a view to the precise purpose of re-hearing it; and a re-examination, and to render effective the responsibility mentioned in the 254th article. Beyond sea, the (Audiencias) high courts of judicature shall take cognizance of these appeals in the mode which will be stated in its place.

In the Tenth place, To attend to the doubts of other courts upon the meaning of any law, to consult the King thereon, with the principal arguments it may have to enable him to make an appropriate declaration to the Cortes.

In the Eleventh place, To examine the lists of the civil and criminal actions which the courts must forward to it to further the prompt administration of justice; to forward copies thereof, for the same purpose to government, and direct them to be printed.

ART. 262. All civil and criminal causes shall be concluded within the district of each court.

ART. 263. The high court of judicature shall take cognizance of all civil actions of the courts below them, upon the second and third hearing; and the same in criminal cases, as the laws may determine, also of the reasons for suspending and dismissing the inferior judges of the district, in the mode pointed out by the law, reporting thereon to the King.

ART. 264. The magistrates who have not attended the second hearing, cannot assist in the judgment of the same cause on the third hearing.

ART. 265. The high court of judicature will also take cognizance of the qualifications of the junior judges of the district.

ART. 266. They will also take cognizance of the appeals against oppression which are introduced from the ecclesiastical courts and authorities of their district.

ART. 267. It will be their duty also to receive from all the junior judges of their district, exact information of the actions preparing against crimes or criminals, and lists of the civil and criminal causes depending on their jurisdiction, with remarks on their nature, for the purpose of furthering the prompt administration of justice.

ART. 268. The high courts of judicature (Audiencias) beyond sea will, likewise, take cognizance of appeals or claims of annulling sentences, on account of illegal or informal proceedings in those courts, which may have a sufficient number of members to form three halls, in one of which the cause has not yet been tried. In courts of a lesser number of magistrates, these appeals shall be referred from one to another court of the district of the same superior government; and, in case there should be only one court in it, they shall proceed to the nearest in another district.

ART. 269. The sentence being annulled, the court which has cognizance thereon, shall give a report, with a certificate that it contains the appropriate matter to the supreme court of justice, to render effective the responsibility mentioned in the 254th Article.

ART. 270. The high courts of judicature shall forward every year to the supreme court of justice, exact lists of civil causes, and every six months of criminal actions, those concluded as well as what are depending, with remarks on the state they are in, including those they have received from the courts below.

(To be Continued.)

CONTINUATION OF REPLY TO THE REV. THOMAS HARTWELL
HORNE'S PAMPHLET, ENTITLED DEISM REFUTED, &c.

From Page 108.

The Predestinarian has fixed on this chapter, as one of the grounds of his belief, that the election of every man is fixed for salvation, or reprobation before his birth. Nothing that the human imagination has conceived can be more romantic than this. If this doctrine was generally believed and acted upon, how miserable and wretched would the general state of mankind be in this life. It entirely destroys the ground work of virtue and morality, as essential to the interest of man in society. It is calculated to make man a gloomy and miserable being, trembling at the approach of his dissolution. The chief duty of man is to learn to contemn death, since he knows it to be inevitable. By this horrid fanaticism, called Predestinarianism, every man must look upon his fellow as exposed to reprobation, while he fancies himself at certain moments an object for salvation: again, he is involved in doubt and even upon the rack. The whole of the twenty-seventh chapter is calculated to inculcate duplicity fraud and deceit. Jacob and his mother appear in the most vicious light. Surely she must be a woman of the most abandoned kind, that could be guilty of what Rebekah stands charged with: robbing her first born of his patrimony, and imposing a younger son on the blindness of her husband, with a lie in his mouth. Can such a book as this be essential to morality? Can such a tale as this deserve to be placed with sacred writings? From such immoral precepts, what possible good can arise? Can such be considered a pure channel for the birth of a just Redeemer? Let the Christian answer this before he charges the Deist with immorality. Here is a picture of the most inveterate family hatred engendered by the wickedness of a mother. Esau was sufficiently irritated as to contemplate the destruction of his brother, and if he had accomplished this retaliation, he would have been less cruel and criminal, than his mother or brother. Let the Jew or the Christian embrace such principles: be it my duty to fill the minds of my children with an abhorrence of them.

I proceed with the twenty-eighth chapter, 'And Isaac
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called Jacob, and blessed him, and charged him, and said unto him, Thou shalt not take a wife of the daughters of Canaan. Arise, go to Padan-aram, to the house of Bethuel thy mother's father; and take thee a wife from thence of the daughters of Laban thy mother's brother. And God Almighty bless thee, and make thee fruitful, and multiply thee, that thou mayest be a multitude of people; And give thee the blessing of Abraham, to thee, and to thy seed with thee; that thou mayest inherit the land wherein thou art a stranger, which God gave unto Abraham. And Isaac sent away Jacob: and he went to Padan-aram unto Laban, son of Bethuel the Syrian, the brother of Rebekah, Jacob's and Esau's mother. When Esau saw that Isaac had blessed Jacob, and sent him away to Padan-aram, to take him a wife from thence; and that as he blessed him he gave him a charge, saying, Thou shalt not take a wife of the daughters of Canaan; And that Jacob obeyed his father and his mother, and was gone to Padan-aram; And Esau seeing that the daughters of Canaan pleased not Isaac his father; Then went Esau unto Ishmael, and took unto the wives which he had Mahalath the daughter of Ishmael Abraham's son, the sister of Nebajoth, to be his wife. And Jacob went out from Beersheba, and went toward Haran. And he lighted upon a certain place, and tarried there all night, because the sun was set; and he took of the stones of that place, and put them for his pillows, and lay down in that place to sleep. And he dreamed, and behold a ladder set up on the earth, and the top of it reached to heaven: and behold the angels of God ascending and descending on it. And, behold, the Lord stood above it, and said, I am the Lord God of Abraham thy father, and the God of Isaac: the land whereon thou liest, to thee will I give it, and to thy seed; And thy seed shall be as the dust of the earth, and thou shalt spread abroad to the west, and to the east, and to the north, and to the south: and in thee and in thy seed shall all the families of the earth be blessed. And, behold, I am with thee, and will keep thee in all places whither thou goest, and will bring thee again into this land; for I will not leave thee, until I have done that which I have spoken to thee of. And Jacob awaked out of his sleep, and he said, Surely the Lord is in this place; and I knew it not. And he was afraid, and said, How dreadful is this place! this is none other but the house of God, and this is the gate of heaven. And Jacob rose up early in the morning, and took the stone that he had put for his pillows, and set it up for a pillar, and poured

oil upon the top of it. And he called the name of that place Beth-el: but the name of that city was called Luz at the first. And Jacob vowed a vow, saying, If God will be with me, and will keep me in this way that I go, and will give me bread to eat, and raiment to put on, So that I come again to my father's house in peace; then shall the Lord be my God: And this stone, which I have set for a pillar, shall be God's house: and of all that thou shalt give me I will surely give the tenth unto thee.

The vicious and immoral conduct of Jacob and his mother renders it necessary that he should fly to save his life, and agreeable to the general history of the Bible, he, as one of the worst of characters, becomes entitled to the visitation and protection of the Jewish Deity. We have here again a repetition of the old promise, that the Jews should be as the dust of the earth; but how deficient has the fact been: when in the summit of their prosperity they were scarcely known to those who lived an hundred miles distant from them. How different was the extent and character of the Jews to the Romans, the Grecians, the Persians, and the Assyrians, each of those empires reduced them to servility with very little opposition. The stone which formed Jacob's pillar has been something like the Catholic relics, it has been found in a variety of places. I believe it is in Westminster Hall at present, to which place, it was transferred from Scotland by one of the Edwards. It is a pity but Jacob had numbered the staves in his ladder, and the space between them, we might then have learnt the distance from earth to heaven. Jacob's vow is worthy of notice, as it is quite conditional, that is, if his God will clothe his back and feed his belly, he will condescend to serve him.

I now proceed with the twenty-ninth chapter.—Then Jacob went on his journey, and came into the land of the people of the east. And he looked, and behold a well in the field, and lo, there were three flocks of sheep lying by it; for out of that well they watered the flocks: and a great stone was upon the well's mouth. And thither were all the flocks gathered: and they rolled the stone from the well's mouth, and watered the sheep, and put the stone again upon the well's mouth, in his place. And Jacob said unto them, My brethren whence be ye? And they said, Of Haran are we. And he said unto them, Know ye Laban the son of Nahor? And they said, we know him. And he said unto them, Is he well? And they said he is well; and behold Rachel his daughter cometh with the sheep. And he said, Lo, it is yet

high day, neither is it time that the cattle should be gathered together: water ye the sheep, and go and feed them. And they said, We cannot, until all the flocks be gathered together, and till they roll the stone from the well's mouth; then we water the sheep. And while he yet spake with them, Rachel came with her father's sheep: for she kept them. And it came to pass, when Jacob saw Rachel the daughter of Laban his mother's brother, and the sheep of Laban his mother's brother, that Jacob went near, and rolled the stone from the well's mouth, and watered the flock of Laban his mother's brother. And Jacob kissed Rachel, and lifted up his voice and wept. And Jacob told Rachel that he was her father's brother, and that he was Rebekah's son: and she ran and told her father. And it came to pass, when Laban heard the tidings of Jacob his sister's son, that he ran to meet him, and embraced him, and kissed him, and brought him to his house, and he told Laban all these things. And Laban said to him, Surely thou art my bone and my flesh. And he abode with him the space of a month. And Laban said unto Jacob, Because thou art my brother, shouldst thou therefore serve me for nought?—Tell me, what shall thy wages be? And Laban had two daughters; the name of the elder was Leah, and the name of the younger was Rachel. Leah was tender eyed; but Rachel was beautiful and well favoured. And Jacob loved Rachel: and said, I will serve thee seven years for Rachel thy younger daughter. And Laban said, It is better that I give her to thee, than that I should give her to another man; abide with me. And Jacob served seven years for Rachel; and they seemed unto him but a few days, for the love he had to her. And Jacob said unto Laban, give me my wife, for my days are fulfilled, that I may go in unto her. And Laban gathered together all the men of the place and made a feast. And it came to pass in the evening, that he took Leah his daughter, and brought her to him; and he went in unto her. And Laban gave unto his daughter Leah, Zilpah his maid for an handmaid. And it came to pass, that in the morning, behold, it was Leah: and he said to Laban, What is this thou hast done unto me? Did I not serve thee for Rachel? Wherefore then hast thou beguiled me? And Laban said, It must not be so done in our country, to give the youngest before the first-born. Fulfil her week, and we will give thee this also for the service which thou shalt serve with me yet other seven years. And Jacob did so and fulfilled her week; and he gave him Rachel his daughter to wife

also. And Laban gave to Rachel his daughter Bilhah his handmaid to be her maid. And he went in also unto Rachel, and he loved also Rachel more than Leah, and served with him yet seven other years. And when the Lord saw that Leah was hated, he opened her womb: but Rachel was barren. And Leah conceived, and bare a son, and she called his name Rueben; for she said, Surely the Lord hath looked upon my affliction: now therefore my husband will love me. And she conceived again, and bare a son; and said, Because the Lord hath heard that I was hated, he hath therefore given me this son also; and she called his name Simeon.— And she conceived again, and bare a son: and said, Now this time will my husband be joined unto me, because I have borne him three sons: therefore was his name called Levi. And she conceived again, and bare a son: and she said, Now will I praise the Lord: and therefore she called his name Judah and left bearing.

The first thing that catches the attention in this chapter is, Jacob's telling Rachel that he is her father's brother, which we find contradicted in the very next sentence. The next circumstance is Jacob's serving Laban for his younger daughter Rachel seven years, and from the intense love he bore towards her they seemed to him but a few days. In our days the nature of love seems to be the reverse of this, and we find when a man has fixed his attention on a female and really loves her, every day seems a year until he possesses the object of his admiration. Such long courtships are unnatural: love is too apt to evaporate by tedious delays. But we find there is a strange mixture in the character of Jacob, and he is alternately exhibited as a rogue, a fool, and a coward. Who can believe, that after seven years' acquaintance with Rachel and Leah, Jacob could be ignorant which of them was the partner of his bed? We read of a similar trick having been practised on one of the kings of England, at Andover, in Hampshire, who, having fallen in love, or at least had his lust excited by the beauty of a female of that town, demanded of her parents that he might be indulged with her company and her charms. The mother seemingly consents, and bargains for the modesty of her daughter, that she shall proceed to the bed of the king without a light. Love or lust overlooks this trifle, and the king is duped with the servant girl instead of the daughter. This tale appears probable, because the king could not be acquainted with the voice or person of his bed-fellow, but I imagine that Jacob must have been half an idiot if he was really

imposed upon as is here described, after so long an acquaintance with both daughters,—at least I should have thought that Rachel would have stirred up a dust on this head, and have soon made Jacob acquainted with the fraud. However we find that the morality of those times was different from the present, and Jacob obtains both of them by fourteen years servitude. I cannot perceive how it can be argued, that Jacob neglected or hated Leah. She bore him four children and then is represented as ceasing to bear, not from the neglect of Jacob, but naturally. Really when we so often read in the Bible of the Lord's opening the womb of women, we are left to conclude, that the conception is like the miraculous conception of the New Testament, and that the poor husband has no hand in it. This is strongly implied in the conclusion of this chapter, where Leah is represented as saying, 'Now this time will my husband be joined unto me, because I have born him three sons.'

I proceed to the thirtieth chapter:—'And when Rachel saw that she bare Jacob no children, Rachel envied her sister; and said unto Jacob, Give me children or else I die. And Jacob's anger was kindled against Rachel; and he said, Am I in God's stead, who hath withheld from thee the fruit of the womb? And she said, Behold my maid Bilhah, go in unto her; and she shall bear upon my knees, that I may also have children by her. And she gave him Bilhah her handmaid to wife: and Jacob went in unto her. And Bilhah conceived, and bare Jacob a son. And Rachel said, God hath judged me, and hath also heard my voice, and hath given me a son: therefore called she his name Dan. And Bilhah. Rachel's maid conceived again, and bare Jacob a second son. And Rachel said, With great wrestlings have I wrestled with my sister, and I have prevailed; and she called his name Naphtali. When Leah saw that she had left bearing, she took Zilpah her maid, and gave her Jacob to wife. And Zilpah Leah's maid bare Jacob a son. And Leah said, A troop cometh; and she called his name Gad. And Zilpah Leah's maid bare Jacob a second son. And Leah said, Happy am I, for the daughters will call me blessed: and she called his name Asher. And Reuben went in the days of wheat-harvest, and found mandrakes in the field, and brought them into his mother Leah. Then Rachel said to Leah, Give me, I pray thee, of thy son's mandrakes. And she said unto her, Is it a small matter that thou hast taken my husband? and wouldest thou take away my son's man:

drakes also? and Rachel said, Therefore he shall lie with thee to night for thy son's mandrakes. And Jacob came out of the field in the evening, and Leah went out to meet him, and said, Thou must come in unto me: for surely I have hired thee with my son's mandrakes. And he lay with her that night. And God hearkened unto Leah, and she conceived, and bare Jacob the fifth son. And Leah said, God hath given me my hire, because I have given my maiden to my husband: and she called his name Issachar. And Leah conceived again, and bare Jacob the sixth son. And Leah said, God hath endued me with a good dowry; now will my husband dwell with me, because I have born him six sons: and she called his name Zebulun. And afterwards she bare a daughter, and called her name Dinah. And God remembered Rachel, and God hearkened to her, and opened her womb. And she conceived and bare a son; and said, God hath taken away my reproach: and she called his name Joseph; and said, The Lord shall add to me another son. And it came to pass, when Rachel had born Joseph, that Jacob said unto Laban, Send me away, that I may go unto mine own place, and to my country. Give me my wives and my children, for whom I have served thee, and let me go: for thou knowest my service which I have done thee. And Laban said unto him, I pray thee, if I have found favour in thine eyes, tarry: for I have learned by experience, that the Lord hath blessed me for thy sake. And he said, Appoint me thy wages, and I will give it. And he said unto him, Thou knowest how I have served thee, and how thy cattle was with me. For it was little which thou hadst before I came, and it is now increased unto a multitude; and the Lord hath blessed thee since my coming: and now when shall I provide for mine own house also: and he said, What shall I give thee? and Jacob said, Thou shalt not give me any thing: if thou wilt do this thing for me, I will again feed and keep thy flock: I will pass through all thy flock to-day, removing from thence all the speckled and spotted cattle, and all the brown cattle among the sheep, and the spotted and speckled among the goats: and of such shall be my hire. So shall my righteousness answer for me in time to come: when it shall come for my hire before thy face: every one that is not speckled and spotted among the goats, and brown among the sheep, that shall be accounted stolen with me. And Laban said, Behold, I would it might be according to thy word. And he removed that day the he-goats that were ring straked, and spotted, and all the

' she-goats that were speckled and spotted, and every one that
 ' had some white in it, and all the brown amongst the sheep,
 ' and gave them into the hand of his son. And he set three
 ' days journey betwixt himself and Jacob: and Jacob fed the
 ' rest of Laban's flocks. And Jacob took him rods of green
 ' poplar, and of the hasel and chesnut-tree; and pilled white
 ' strakes in them, and made the white appear which was in the
 ' rods. And he set the rods which he had pilled before the
 ' flocks in the gutters in the watering troughs, when the
 ' flocks came to drink, that they should conceive when they
 ' came to drink. And the flocks conceived before the rods,
 ' and brought forth cattle ring-straked, speckled, and spotted.
 ' And Jacob did separate the lambs, and set the faces of the
 ' flocks towards the ring-straked, and all the brown in the
 ' flock of Laban: and he put his own flocks by themselves;
 ' and put them not unto Laban's cattle. And it came to pass
 ' whensoever the stronger cattle did conceive, that Jacob laid
 ' the rods before the eyes of the cattle in the gutters, that they
 ' might conceive among the rods. But when the cattle were
 ' feeble, he put them not in; so the feebler were Laban's and
 ' the stronger Jacob's. And the man increased exceedingly,
 ' and had much cattle, and maid-servants, and men-servants,
 ' and camels and asses.

The first part of this chapter must have required a great deal of inspiration to write it, and the jealous Jewish deity seems to have been very fond of sowing the seeds of jealousy among his favourites. Poor Jacob had fallen into a rare family; what with serving Laban, his two wives, and their two maids, he must have been a slave indeed!! We are quite ignorant of what the mandrakes could be which are mentioned in this chapter. Almost all the Commentators on the Bible have asserted, that they were a herb or flower, which was equivalent to a love powder or potion, and that they were so strong an incentive, as to facilitate conception: but I presume the whole of this argument is drawn from the supposed eagerness of Rachel to possess them. The case is, that the Hebrew language was a very barbarous jargon, and the translator is obliged to guess at the meaning of more than half the words and phrases. Had not the fraud of these holy writings been kept up, it would have been lost on the first dispersion of the Jews; and it would have been a most happy circumstance for mankind if it had been lost. It has grieved me when I have reflected, how many men of genius and talents have wasted their whole life time in poring over the different manuscript copies of the Bible, in different languages, and vainly endeavoring

veiling to draw an uniform translation from the whole. I have said to myself, what benefits might the whole human race have found ere this, had the abilities of those men been applied to the discovery of something useful for man to know? What does the Bible now present to us after all those pains to make it less contradictory, less indecent, and less like a fable? Even on the ground of admitting it to be authentic, and founded on historical facts, it presents nothing to our view, but a series of lives of persons, who have distinguished themselves from their fellows by their vices and wickedness, and we can derive no further benefit from it than from the publication of the Newgate Calendar. It is a matter of much doubt, whether what we at present call the Hebrew language, ever existed as a living language, or was the language of the Jews in the times of their prosperity. It is generally supposed, that the books which compose the Bible were first written in this language, but there are those who have asserted the contrary; and as we have no proof that these books were written before the Jews returned from the Babylonish captivity, and as the Hebrew appears to be a language made up of the Syriac, Arabic, and Chaldee languages, and a distortion of each of those, with other provincial dialects and languages that were spoken by adjoining nations, by whom the Jews had at various times been subdued and led captive, it is but a fair inference to draw, and a fair assumption to say, that a knowledge of the Hebrew language cannot be acquired to the same extent as a knowledge of the Greek and Latin. Every day's experience will shew to us, how dreadfully a language is mutilated by the first attempts of a foreigner to speak it, how he mixes up a part of his own language, with that he endeavours to speak in, amongst those who are foreign to him. When a variety of languages are thus jumbled together with a distortion of each, a race of men might by practice and experience become intelligible to each other, but it is impossible that a subsequent and foreign translator can reach the meaning of such a barbarous and inexpressible jargon. From the return of the Jews from the Babylonish captivity to their conquest by the Romans there could not be sufficient time to form a pure and comprehensible language, from the mixture into which their previous captivities had involved them. Admitting that the part of the Bible is true, where the Israelites are subject to the bondage of the Egyptians, for four hundred years; is it too much to say, that in the course of that time, they must have lost all traces of the language of Abraham,

Isaac and Jacob, even if those persons had a different language from the Egyptians, and that the Israelites must have revolted from the Egyptians with their language, as well as their gold and silver. We have no account that the Egyptians ever spoke the Hebrew language. Moses and Joshua are no sooner dead, than the Israelites are represented as being made subject and tributary to the Philistines. The Bible further tells us that they were conquered by the Egyptians, by the Samaritans, and by the Syrians, before they were all led captive into Chaldea, and their Temple and City of Jerusalem destroyed. Of all people, that have been distinguished as a nation, they are the most contemptible and their history, true or fabulous, would not be worth looking into, but for the purpose of ridding mankind in the nineteenth century of the fraud and imposture of this Holy Book. In other parts of the Bible I shall find occasion to extend my observations on this head, the word "mandrakes" has drawn me into this digression, but I think I have said enough to excite a doubt that the Hebrew was never a living language, and that the true meaning of the old Hebrew manuscripts cannot now be reached. I have ventured on those observations on no other ground than having read various commentators on the Bible, and I think those who are in the habit of looking into the various commentaries, must have been astonished at the incongruities and difference of meaning adduced by those who profess to have a full and competent knowledge of the Hebrew language: need I mention the names of Dr. Geddes, Dr. Adam Clarke, and Mr. John Bellamy, the latter of whom, professes a re-inspiration for the due translation of the Holy Scriptures, and when he has finished them, I presume, that it will be necessary we should all return to school to obtain the rudiments of our new religion.

I cannot make any observations on the bargain Jacob is said to have made with Laban, with respect to having the speckled and ringstraked cattle for his share; I look upon it as a fable without a pretence to truth or probability, but I would advise some religious cattle fancier, to try the same experiment, and see, whether the same effect might be produced. To a person who has an implicit faith in the truth of all that is written in the Bible, it could be considered but a sacred amusement, even though the experiment should fail, and as the faith of those persons is not easily shaken, the failure of the experiment would not be likely to be injurious to religion on that head.

I proceed with the thirty-first chapter— And he heard the

words of Laban's sons, saying, Jacob hath taken away all that was our father's; and of that which was our father's hath he gotten all this glory. And Jacob beheld the countenance of Laban, and, behold, it was not toward him as before. And the Lord said unto Jacob, Return unto the land of thy fathers, and to thy kindred; and I will be with thee. And Jacob sent and called Rachel and Leah to the field unto his flock, And said unto them, I see your father's countenance, that it is not toward me as before; but the God of my fathers hath been with me. And ye know that with all my power I have served your father. And your father hath deceived me, and changed my wages ten times; but God suffered him not to hurt me. If he said thus, The speckled shall be thy wages; then all the cattle bare speckled; and if he said thus, The ringstraked shall be thy hire; then bare all the cattle ringstraked. Thus God hath taken away all the cattle of your father, and given them to me. And it came to pass at the time that the cattle conceived, that I lifted up mine eyes, and saw in a dream, and, behold, the rams which leaped upon the cattle were ringstraked, speckled, and grisled. And the angel of God spake unto me in a dream, saying, Jacob: And I said, Here am I. And he said, Lift up now thine eyes, and see, all the rams which leap upon the cattle are ringstraked, speckled, and grisled: for I have seen all that Laban doeth unto thee. I am the God of Beth-el, where thou anointedst the pillar, and where thou vowedst a vow unto me: now arise, get thee out from this land, and return unto the land of thy kindred. And Rachel and Leah answered and said unto him, Is there yet any portion or inheritance for us in our father's house? Are we not counted of him strangers? for he hath sold us, and hath quite devoured also our money. For all the riches which God hath taken from our father, that is our's, and our children's: now then, whatsoever God hath said unto thee do. Then Jacob rose up, and set his sons and his wives upon camels; And he carried away all his cattle, and all his goods which he had gotten, the cattle of his getting, which he had gotten in Padan-aram, for to go to Isaac his father in the land of Canaan. And Laban went to shear his sheep: and Rachel had stolen the images that were her father's. And Jacob stole away unawares to Laban the Syrian, in that he told him not that he fled. So he fled with all that he had; and he rose up, and passed over the river, and set his face toward the mount Gilead. And it was told

‘ Laban on the third day that Jacob was fled. And he took
‘ his brethren with him, and pursued after him seven day’s
‘ journey; and they overtook him in the mount Gilead. And
‘ God came to Laban the Syrian in a dream by night, and
‘ said unto him, Take heed that thou speak not to Jacob either
‘ good or bad. Then Laban overtook Jacob. Now Jacob
‘ had pitched his tent in the mount: and Laban with his
‘ brethren pitched in the mount of Gilead. And Laban said
‘ to Jacob, What hast thou done, that thou hast stolen away
‘ unawares to me, and carried away my daughters, as captives
‘ taken with the sword? Wherefore didst thou flee away
‘ secretly, and steal away from me; and didst not tell me, that
‘ I might have sent thee away with mirth, and with songs,
‘ with tabret, and with harp? And hast not suffered me to
‘ kiss my sons and my daughters? thou hast now done foolishly
‘ in so doing. It is in the power of my hand to do you hurt:
‘ but the God of your father spake unto me yesternight, say-
‘ ing, Take thou heed that thou speak not to Jacob either
‘ good or bad. And now, though thou wouldest needs be
‘ gone, because thou sore longedst after thy father’s house,
‘ yet wherefore hast thou stolen my gods. And Jacob
‘ answered and said to Laban, Because I was afraid: for I said,
‘ Peradventure thou wouldest take by force thy daughters
‘ from me. With whomsoever thou findest thy gods, let him
‘ not live: before our brethren discern thou what is thine with
‘ me, and take it to thee. For Jacob knew not that Rachel
‘ had stolen them. And Laban went into Jacob’s tent, and
‘ into Leah’s tent, and into the two maid-servants’ tent; but he
‘ found them not. Then went he out of Leah’s tent, and
‘ entered into Rachel’s tent. Now Rachel had taken the
‘ images, and put them in the camel’s furniture, and sat upon
‘ them. And Laban searched all the tent, but found them
‘ not. And she said to her father, Let it not displease my
‘ lord that I cannot rise up before thee; for the custom of
‘ women is upon me. And he searched, but found not the
‘ images. And Jacob was wroth, and chode with Laban: and
‘ Jacob answered and said to Laban, What is my trespass?
‘ what is my sin, that thou hast so hotly pursued after me?
‘ Whereas thou hast searched all my stuff, what hast thou
‘ found of all thy household stuff? set it here before my
‘ brethren and thy brethren, that they may judge betwixt us
‘ both. This twenty years have I been with thee; thy ewes
‘ and thy she goats have not cast their young, and the rams of
‘ thy flock have I not eaten. That which was torn of beasts I
‘ brought not unto thee; I bare the loss of it; and of my hand

‘ didst thou require it, whether stolen by day, or stolen by night. Thus I was; in the day the drought consumed me, and the frost by night; and my sleep departed from mine eyes. Thus have I been twenty years in thy house; I served thee fourteen years for thy two daughters, and six years for thy cattle: and thou hast changed my wages ten times. Except the God of my father, the God of Abraham, and the fear of Isaac, had been with me, surely thou hadst sent me away now empty. God hath seen mine affliction and the labour of my hands, and rebuked thee yesternight. And Laban answered and said unto Jacob, These daughters are my daughters, and these children are my children, and these cattle are my cattle. and all that thou seest is mine: and what can I do this day unto these my daughters, or unto their children which they have born? Now therefore come thou, let us make a covenant, I and thou; and let it be for a witness between me and thee. And Jacob took a stone, and set it up for a pillar. And Jacob said unto his brethren, Gather stones; and they took stones, and made an heap: and they did eat there upon the heap. And Laban called it Jegar-sahadutha: but Jacob called it Galeed. And Laban said, This heap is a witness between me and thee this day. Therefore was the name of it called Galeed; And Mizpah; for he said, The Lord watch between me and thee, when we are absent one from another. If thou shalt afflict my daughters, or if thou shalt take other wives beside my daughters, no man is with us; see, God is witness betwixt me and thee. And Laban said to Jacob, Behold this heap, and behold this pillar, which I have cast betwixt me and thee. This heap be witness, and this pillar be witness, that I will not pass over this heap to thee, and that thou shalt not pass over this heap and this pillar unto me for harm. The God of Abraham, and the God of Nahor, the God of their father, judge betwixt us. And Jacob swore by the fear of his father Isaac. Then Jacob offered sacrifice upon the mount, and called his brethren to eat bread: and they did eat bread, and tarried all night in the mount. And early in the morning Laban rose up and kissed his sons and his daughters, and blessed them; and Laban departed, and returned unto his place.’

This chapter affords us another strong proof of the immorality of Jacob and his wives, after Jacob by stratagem or robbery has possessed himself of all the property of Laban, he combines with his wives to take a sudden departure, before Laban is aware of their intended removal. Of what size the

images or gods of Laban could be, that Rachel could steal them without the knowledge of Jacob, I am at a loss to conceive, or of what they were composed we are left ignorant: but still it is an important fact, which we are taught from this, that those Gods were considered of such importance for worship as for one of Jacob's wives to steal them. Does not this argue that Jacob could have no notion of a spiritual God? Would he not have impressed this on his favourite wife, if he had possessed any such idea of God? Still we are told that God came to Laban in a dream by night, and charged him not to injure Jacob, and also that the Angel of God spake to Jacob in a dream, and shew him the speckled and ringstraked rams leaping upon the cattle. Surely this was a most important mission for an Angel to perform. I doubt not but the fanatics of our day are in the habit of seeing Heaven and Hell, God, Angels and Devils in their dreams. We know that whatever the mind broods over, it recurs even in our sleep, and generally in a more fanciful strain. In this and the next chapter we have strong proofs of Jacob's guilt and its concomitant cowardice. I would charge the reader to mark the time that Jacob says he has served Laban, we find it twenty years, that is fourteen for the daughters and six for the cattle: from this we are left to presume, that the three eldest children of Leah, Reuben, Simeon, and Levi, could not exceed ten, eleven, and twelve years of age, as Jacob had to serve seven years before he possessed Leah. I perceive nothing further in this chapter worthy of notice, excepting the base and treacherous conduct of Rachel towards her father.

The reader will observe that my commentary is shorter than the matter commented upon, but I find it necessary not to omit any thing like an historical narrative, because I shall have occasion to refer back to it for comparison. As I proceed further, I shall not have occasion to insert whole chapters, nor even to notice some of them, further than to say what they consist of. The parts of the Bible are but few that will afford any thing like a lively commentary. I loathe the task I have undertaken very much, and the further I proceed, the more pity and astonishment I feel for the credulity of mankind.

I now proceed with the thirty-second chapter, 'And Jacob went on his way, and the angels of God met him. And when Jacob saw them, he said, This is God's host: and he called the name of that place Mahanaim. And Jacob sent messengers before him to Esau his brother unto the land of Seir, the country of Edom. And he commanded them, saying, Thus shall ye speak unto my lord Esau; Thy servant

Jacob saith thus, I have sojourned with Laban, and stayed there until now: And I have oxen, and asses, flocks, and men-servants, and women-servants: and I have sent to tell my lord, that I may find grace in thy sight. And the messengers returned to Jacob, saying, We came to thy brother Esau, and also he cometh to meet thee, and four hundred men with him. Then Jacob was greatly afraid and distressed: and he divided the people that was with him, and the flocks, and herds, and the camels, into two bands; And said, If Esau come to the one company, and smite it, then the other company which is left shall escape. And Jacob said, O God of my father Abraham, and God of my father Isaac, the Lord which saidst unto me, Return unto thy country, and to thy kindred, and I will deal well with thee: I am not worthy of the least of all the mercies, and of all the truth, which thou hast shewed unto thy servant; for with my staff I passed over this Jordan; and now I am become two bands. Deliver me, I pray thee, from the hand of my brother, from the hand of Esau: for I fear him, lest he will come and smite me, and the mother with the children. And thou saidst, I will surely do thee good, and make thy seed as the sand of the sea, which cannot be numbered for multitude. And he lodged there that same night; and took of that which came to his hand a present for Esau his brother; Two hundred she goats, and twenty he goats, two hundred ewes, and twenty rams, Thirty milch camels with their colts, forty kine, and ten bulls, twenty she asses, and ten foles. And he delivered them into the hand of his servants, every drove by themselves; and said unto his servants, Pass over before me, and put a space betwixt drove and drove. And he commanded the foremost, saying, When Esau my brother meeteth thee, and asketh thee, saying, Whose art thou? and whither goest thou? and whose are these before thee? Then thou shalt say, They be thy servant Jacob's; it is a present sent unto my lord Esau: and, behold, also he is behind us. And so commanded he the second, and the third, and all that followed the drives, saying, On this manner shall ye speak unto Esau, when ye find him. And say ye moreover, Behold, thy servant Jacob is behind us. For he said, I will appease him with the present that goeth before me, and afterward I will see his face; peradventure he will accept of me. So went the present over before him: and himself lodged that night in the company. And he rose up that night, and took his two wives, and his two women-servants, and his eleven sons, and passed over the ford Jabbok.

‘And he took them, and sent them over the brook, and sent over that he had. And Jacob was left alone; and there wrestled a man with him until the breaking of the day. And when he saw that he prevailed not against him, he touched the hollow of his thigh; and the hollow of Jacob’s thigh was out of joint, as he wrestled with him. And he said, Let me go, for the day breaketh. And he said, I will not let thee go, except thou bless me. And he said unto him, What is thy name? And he said, Jacob. And he said, Thy name shall be called no more Jacob, but Israel: for as a prince hast thou power with God and with men, and hast prevailed. And Jacob asked him, and said, Tell me, I pray thee, thy name. And he said, Wherefore is it that thou dost ask after my name? And he blessed him there. And Jacob called the name of the place Peniel: for I have seen God face to face, and my life is preserved. And as he passed over Peniel the sun rose upon him, and he halted upon his thigh. Therefore the children of Israel eat not of the sinew which shrank, which is upon the hollow of the thigh, unto this day: because he touched the hollow of Jacob’s thigh in the sinew that shrank.’

The first odd circumstance that strikes us in this chapter, is the host of travelling Angels which Jacob meets, but we are only told that he did meet them, and not what was said, sung, or done there. The next circumstance is the strong proof of Jacob’s guilt and cowardice, when he expects to meet his brother Esau. Jacob here displays a true portrait of a villainous, treacherous, and cowardly character. I would draw the reader to a circumstance which I have before-mentioned, namely, of the boasted river Jordan being no more than a paddling brook: Jacob in his prayer to his God, says “for with my staff I passed over this Jordan,” meaning, that when he was going to labour he had nothing but his staff, and now he is returning with great wealth. Jacob is here made to speak of the Jordan as if it was fordable. Travellers who have gone into Asia from Europe with high notions of the Holy Land, and the River Jordan, have been astonished at reaching those places, to see how miserably deficient they were to what they expected, and they have further imagined, that the Jordan has dwindled from what it was in the prosperity of the Israelites down to its present state, which is scarcely a running stream. But no such thing, the Israelites or Jews and their temple, cities, rivers brooks, and pools have been magnified into what they never were.

(To be continued.)